



Intellectual Property Rights Issues for Software Reuse

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Intellectual Property Rights for Reuse

- Intellectual property refers to the 'expression of original ideas' in works, including software, documentation, and procedures.
- Software and related intellectual property assets are owned by the authors or their employers in 'work for hire' situations.
- Intellectual property rights protect asset owners with rules for 'using' intellectual property assets.
- Intellectual property rights are protected by laws and include patent, trademark, design, trade secret, and copyright laws.
- Copyright can enable or limit reuse and refers to the right to reproduce, prepare derivative forms, distribute, perform, or display a work of intellectual property.





Reuse Stakeholders Need to Understand Intellectual Property Rights

- **Authors concerned about the loss of intellectual property rights may decide not to make their software available for reuse.**
- **Potential users need to know the intellectual property rights to make a decision on whether to reuse software.**





Using Intellectual Property Rights to Foster Software Reuse

- Adopt a pre-written easily recognizable license that encourages software reuse and enhancement:
 - allow execution, copying, modifications, and redistribution;
 - require license and attribution to stay with software.
- Attach license for free reuse with limited restrictions.
- Include text of license within the source code.
- Include a simple explanation of rights for the lay person.

Disclaimer: The opinions of the authors are meant to promote discussion and should not be considered legal advice, which may be sought from an attorney.





References

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- BSD License <http://www.freebsd.org/copyright/license.html>
- Gnu Public Licenses (GPL & LGPL) www.gnu.org
- NASA Open Source Agreement
<http://www.opensource.org/licenses/nasa1.3.php>
- Open Source Initiative www.opensource.org
- United States Copyright Office <http://www.copyright.gov>

